

PROB 12B  
(7/93)

**United States District Court**

**for**

**District of New Jersey**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: August Vergallito

Cr.: 07-347-01

Name of Sentencing Judicial Officer: Honorable Susan D. Wigenton  
United States District Judge

Date of Original Sentence: 09/22/08

Original Offense: Conspiracy to Defraud the United States

Original Sentence: Probation - 5 years (with home confinement/electronic monitoring - 8 months);  
Restitution - \$68,203; Special Assessment - \$100

Type of Supervision: Probation

Date Supervision Commenced: 09/22/08

**PETITIONING THE COURT**

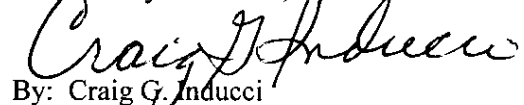
- ☐ To extend the term of supervision for \_\_\_\_\_ Years, for a total term of \_\_\_\_\_ Years.  
☒ To modify the conditions of supervision as follows.

1. Removing the special condition for Home Confinement by Electronic Monitoring and modifying said condition to conduct house arrest by Non-Electronic Home Confinement as directed by the U.S. Probation Office.
2. To waive the mandatory collection of three (3) urinalysis tests over the period of his Probation term.

**CAUSE**

Home Confinement by electronic monitoring was initiated at the onset of supervision; however, due to repeated hospital stays for coronary artery disease, diabetes, and circulatory issues with both legs, the U.S. Probation Office was required by medical staff to remove the electronic monitoring device on 3 occasions. Given the offender's health conditions and his advanced age of 74, we respectfully request that the above requested modifications, specifically non-electronic home confinement and waiving of mandatory urinalysis, be granted.

Respectfully submitted,



By: Craig G. Inducci  
Senior U.S. Probation Officer

Date: 05/04/09

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THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above  
☐ The Extension of Supervision as Noted Above  
☐ No Action  
☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

  
\_\_\_\_\_  
Date